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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 PERCY LAVAE BACON,

9 *Petitioner,*

10 vs.

11 HOWARD SKOLNIK, *et al.*,

12 *Respondents.*

2:07-cv-00821-KJD-RJJ

13 ORDER

14
15 This closed habeas matter under 28 U.S.C. § 2254 comes before the Court following
16 upon a purported judicial notice filed by petitioner that was docketed as a motion (#109).

17 The present filing rehashes arguments or makes variations on arguments that
18 petitioner made in prior filings (## 103 & 107) that the Court has rejected with assigned
19 reasons (## 106 & 108) and as to which the Court of Appeals has denied a certificate of
20 appealability (#113). As noted in the Court's prior order (#108), a "judicial notice" further is
21 a fugitive document.

22 IT THEREFORE IS ORDERED that the filing docketed as a motion (#109) is DENIED.
23 A certificate of appealability also is DENIED as to any appeal as to this frivolous filing.

24 DATED: 8/8/11

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KENT J. DAWSON
United States District Judge